

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
EASTERN DIVISION**

CIVIL ACTION NO. 04-30177-PBS

**JOEL PENTLARGE,
Plaintiff,**

v.

**ROBERT MURPHY, *et al.*,
Defendants.**

**MOTION OF DEFENDANTS ROBERT MURPHY AND
KATHLEEN DENNEHY TO DISMISS THE THIRD
SUPPLEMENTAL COMPLAINT**

Pursuant to Fed. R. Civ. P. 12(b)(6), defendants, Robert Murphy and Kathleen Dennehy, move to dismiss the Third Supplemental Complaint. The grounds for this motion are stated in the accompanying memorandum of law.

Defendants Massachusetts Department of
Correction, Robert Murphy and Kathleen
Dennehy,

NANCY ANKERS WHITE
Special Assistant Attorney General

/s/ Mary P. Murray

By: Mary P. Murray, Counsel (BBO # 555215)
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Dated: July 29, 2005

Certificate of Service

I hereby certify that I caused a copy of the within document to be served as follows:

(1) Plaintiff Joel Pentlarge, by first class mail, postage pre-paid, upon his counsel of record, John Swomley, Swomley & Associates, 227 Lewis Wharf, Boston, MA 02110-3927;

&

(2) Defendants Natalya Pushkina and Debra O'Donnell, by first class mail, postage pre-paid upon their counsel of record, Kevin Mulvey, Esquire, Mulvey & Sneider, LLP, 1622A Beacon Street, Brookline, MA 02446-2201.

/s/ Mary P. Murray

Mary P. Murray

Dated: July 29, 2005